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SUBJECT: SERBIA - KOSOVO MINISTRY WAITING CONSTITUTION AND  
GOVERNMENT

REF: BELGRADE 579

SUMMARY

1. (SBU) As Kosovo prepares to enact its new constitution on June 15, Serbia's Ministry for Kosovo is cautiously watching, but not actively planning any major response to the event, and is expecting that little on the ground will change in the near term. Kosovo Minister Slobodan Samardzic will travel to North Mitrovica on June 14 in an obvious effort to keep the Kosovo issue festering in the minds of Serbs during this period of government formation. Like the rest of the government, the fate of the Kosovo Ministry is uncertain, and the future role of the ministry, if any, will be left to the new, most likely pro-European-led government. End Summary.

Constitution: No Immediate Change Expected

2. (SBU) The Government of Serbia does not expect there to be a significant change on the ground with the enactment of Kosovo's constitution on June 15, Assistant Minister for Kosovo Ljubomir Kljakic told us on June 11. (Since Kosovo's February 17 declaration of independence, Post's direct access to Minister Samardzic has been severed. Post continues to engage the ministry at the assistant minister and special advisor levels.) Samardzic will be in North Mitrovica on June 14 and 15 meeting with local Serb officials when the constitution goes into effect, Kljakic said. Despite the implementation of the constitution, Serbia would expect UNMIK to continue performing its functions after June 15, and that is with whom Serbia would continue to engage, said Kljakic. He admitted, however, that afterwards the issues of communication would become more complex and "discussions must start between all parties to resolve unresolved issues."

Serb Assemblies Will Be in Place By Constitution

3. (SBU) Before the new Kosovo Constitution, all of the new local assemblies in the Serb majority municipalities of Kosovo will be constituted, Kljakic said. Although legally the political composition of the municipal assemblies should be fixed once they are constituted, Kljakic acknowledged that it may change after Serbia forms its national government. Ultimately municipal leaders will have to work with Belgrade and whomever is in power in the central government, Kljakic said. He said the new assemblies would not work with the Kosovar authorities in Pristina, but admitted that some "umbrella" mechanism would

need to be created to resolve the "daily life" problems of the Serb communities and the other neighboring municipalities.

#### Ministry Sees Announcement on Property as Hollow Gesture

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¶4. (SBU) Kljakic disregarded a June 11 article in the Belgrade-based Vecernje Novosti newspaper which explained that the Kosovo Property Agency (KPA) had started to deliver the first decisions on property decided by the Kosovo Property Claims Commission (KPCC) to Kosovo Serb claimants. According to the article, the first 97 decisions were recently handed over to Kosovo Serb claimants and an additional 400 decisions should be delivered by the end of June. Kljakic said the news was merely "political propaganda" from Pristina in a vain effort to convince Serbs prior to the constitution that the Kosovar government cared about their interests. (Post understands that the resolution of these claims represents an important break in a logjam of an estimated 40,000 cases awaiting adjudication. Many other cases have already been resolved through the KPA and its predecessor institution, however.)

#### Kosovo Ministry Currently on Hold

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¶5. (SBU) Like most other government offices, the Kosovo Ministry remains in limbo under the current technical government, and has become increasingly inert since the May 11 elections. "Without a full government it is difficult

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to act as you would wish," Kljakic said. He expected that the state strategy on Kosovo would remain the same regardless of whether President Boris Tadic's Democrats (DS) or Prime Minister Vojislav Kostunica's Democratic Party of Serbia (DSS) formed the next government. Since Serbia's next government will not choose to recognize Kosovo's independence, "the politics of the next government will be the same except with tactical and rhetorical corrections," he said.

#### Kosovo Ministry: Should it Stay or Should it Go?

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¶6. (SBU) If outgoing Prime Minister Kostunica were to succeed in forming the new government, the DSS would maintain the Kosovo Ministry, Kljakic confirmed to us. He and others were less certain, however, what a government led by President Tadic's Democratic Party would chose to do with the ministry. Kljakic said a DS-led government may chose to find another venue to handle Kosovo issues, but he admitted this was only his speculation at this stage.

¶7. (SBU) Others within the Kosovo Ministry speculated that it would be politically difficult for a new DS-led government to dismantle the Kosovo Ministry, which has been a significant source of nationalist sentiment on the Kosovo issue over the past year. Kosovo Ministry Advisor Stanko Blagojevic told us on June 7 that he expected the ministry to remain the same size (about 100 people) no matter which party formed the next government. He thought the DS could possibly even increase the size of the ministry if they came into power, as a way of overcompensating for what he described as their "less rigid" Kosovo policy. He thought only a DSS-Radical government with its solid anti-Kosovo independence credentials could be in a political position to decrease the size of the ministry (i.e. "Nixon to China"). The best idea would be to dismantle the ministry and create a much smaller special directorate within another ministry, political insider and publisher of VIP News Report Bratislav Grubacic told us on June 10. Socialist Party leader Ivica Dacic also told us on June 10 that his party did not want to inherit control of the

ministry in a new DS-led government, since the ministry would most likely not be responsible for policy but rather just cultural and economic coordination (reftel).

Comment

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18. (SBU) While Minister Samardzic continues to find ways to stoke the Kosovo issue, the rest of the Kosovo Ministry has become increasingly inactive under the technical government, awaiting a decision on its future political bosses. In such limbo the Kosovo Ministry has resigned itself to promoting the status quo in Kosovo. End Comment.

MUNTER